

10/19/01

A  
03 - 04 - n**UTILITY****PATENT APPLICATION  
TRANSMITTAL**

Only for new nonprovisional applications under  
37 CFR 1.53(b))

Attorney Docket No.

P01-3685

First Inventor

Stephen J. Sicola et al.

Title

METHOD AND APPARATUS FOR  
CONTROLLING COMMUNICATIONS  
IN DATA STORAGE COMPLEXES

Express Mail Label No.

EL910769662US

**APPLICATION ELEMENTS**

Assistant Commissioner for Patents  
Box Patent Application  
Washington, DC 20231

- |  |   |
|--|---|
| 1. <input checked="" type="checkbox"/> Fee Transmittal Form<br>(submit an original and a duplicate for fee processing)   | 6. <input type="checkbox"/> Application Data Sheet. (See 37 CFR 1.76)   |
| 2. <input type="checkbox"/> Applicant claims small entity status.<br>See 37 CFR 1.27   | 7. <input type="checkbox"/> CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)                 |
| 3. <input checked="" type="checkbox"/> Specification [ total pages <u>61</u> ]<br>(preferred Arrangement set forth below)  | 8. Nucleotide and/or Amino Acid Sequence Submission<br>(if applicable, all necessary)                               |
| - Descriptive title of the Invention   | a. <input type="checkbox"/> Computer Readable Form  |
| - Cross References to Related Applications   | b. <input type="checkbox"/> Specification Sequence Listing on:  |
| - Statement Regarding Fed sponsored R&D  | i. <input type="checkbox"/> CD-ROM or CD-R (2 copies); or   |
| - Reference to sequence listing, a table, or a computer program listing appendix   | ii. <input type="checkbox"/> paper  |
| - Background of the Invention  | c. <input type="checkbox"/> Statements verifying identity of above copies   |
| - Brief Summary of the Invention   |   |
| - Brief Description of the Drawings  |   |
| - Detailed Description   |   |
| - Claim(s)   |   |
| - Abstract of the Disclosure   |   |
| 4. <input checked="" type="checkbox"/> Drawing(s) [ total sheets <u>14</u> ]   |   |
| 5. <input checked="" type="checkbox"/> Oath or Declaration [ total sheets <u>2</u> ]   |   |
| a. <input checked="" type="checkbox"/> Newly Unexecuted (original or copy)   | 9. <input type="checkbox"/> Assignment Papers (coversheet/document(s))  |
| b. <input type="checkbox"/> Copy from prior appl. (37 C.F.R. § 1.63(d))  | 10. <input type="checkbox"/> 37 CFR. 3.73(b) Statement <input type="checkbox"/> Power of Attorney                   |
| i. <input type="checkbox"/> DELETION OF INVENTOR(S)<br>Signed statement attached deleting inventor(s) named in prior application, see 37 C.F.R. §§ 1.63(d)(2) and 1.33(b).   | 11. <input type="checkbox"/> English Translation Document   |
| 18. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:  | 12. <input checked="" type="checkbox"/> IDS & Form 1449 <input checked="" type="checkbox"/> Copies of IDS Citations |
| <input type="checkbox"/> Continuation <input type="checkbox"/> Divisional <input type="checkbox"/> Continuation-in-part (CIP)  | 13. <input type="checkbox"/> Preliminary Amendment  |
| Prior application information: Examiner: _____ Group/Art Unit: _____   | 14. <input checked="" type="checkbox"/> Return Receipt Postcard (MPEP 503)  |
| FOR CONTINUATION OR DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts. | 15. <input type="checkbox"/> Certified Copy of Priority Document(s)   |
|  | 16. <input type="checkbox"/> Request & Certification under 35 USC 122(b)(2)(B)(i)                                   |
|  | 17. <input checked="" type="checkbox"/> Other: Certificate of Mailing by Express Mail                               |

**19. CORRESPONDENCE ADDRESS**

Customer Number or Bar Code Label **25235** or  Correspondence address below



Name

Address

City

Country

State

ZIP

Telephone

Fax

Name  
(Print/Type)

William J. Kubida

Registration No.

29,664

(Signature)

Date

19 October 2001

JC973 U.S. PTO  
10/086599  
10/19/01

**FEE TRANSMISSION**  
for FY 2001

		Complete if Known	
		Application Number	-----
		Filing Date	Herewith
		First Named Inventor	Stephen J. Sicola et al.
		Examiner Name	
<b>TOTAL AMOUNT OF PAYMENT (\$)</b>		<b>(\$)</b> <b>740.00</b>	Group / Art Unit
			Attorney Docket No.
			P01-3685

METHOD OF PAYMENT (check one)				FEE CALCULATION (continued)																																																																																																																																																					
<p>1. <input type="checkbox"/> The Commissioner is hereby authorized to charge indicated fees and credit any over payments to:  <b>50-1123</b></p> <p>Deposit Account Number</p> <p>Deposit Account Name <b>Hogan &amp; Hartson L.L.P.</b></p> <p><input checked="" type="checkbox"/> Charge Any Additional Fee Required Under 37 CFR §§ 1.16 and 1.17</p> <p><input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27</p>				<p><b>3. ADDITIONAL FEES</b></p> <table border="1"> <thead> <tr> <th>Large Entity Fee (\$)</th> <th>Small Entity Fee (\$)</th> <th>Fee Description</th> <th>Fee Paid</th> </tr> </thead> <tbody> <tr><td>130</td><td>65</td><td>Surcharge – late filing fee or oath</td><td></td></tr> <tr><td>50</td><td>25</td><td>Surcharge – late provisional filing fee or cover sheet</td><td></td></tr> <tr><td>130</td><td>130</td><td>Non-English specification</td><td></td></tr> <tr><td>2,520</td><td>2,520</td><td>For filing a request for ex parte reexamination</td><td></td></tr> <tr><td>920*</td><td>920*</td><td>Requesting publication of SIR prior to Examiner action</td><td></td></tr> <tr><td>1,840*</td><td>1,840*</td><td>Requesting publication of SIR after Examiner action</td><td></td></tr> <tr><td>110</td><td>55</td><td>Extension for reply within first month</td><td></td></tr> <tr><td>400</td><td>200</td><td>Extension for reply within second month</td><td></td></tr> <tr><td>920</td><td>460</td><td>Extension for reply within third month</td><td></td></tr> <tr><td>1,440</td><td>720</td><td>Extension for reply within fourth month</td><td></td></tr> <tr><td>1,960</td><td>980</td><td>Extension for reply within fifth month</td><td></td></tr> <tr><td>310</td><td>155</td><td>Notice of Appeal</td><td></td></tr> <tr><td>310</td><td>155</td><td>Filing a brief in support of an appeal</td><td></td></tr> <tr><td>270</td><td>135</td><td>Request for oral hearing</td><td></td></tr> <tr><td>1,510</td><td>1,510</td><td>Petition to institute a public use proceeding</td><td></td></tr> <tr><td>110</td><td>55</td><td>Petition to revive – unavoidable</td><td></td></tr> <tr><td>1,240</td><td>620</td><td>Petition to revive – unintentional</td><td></td></tr> <tr><td>1,240</td><td>620</td><td>Utility issue fee (or reissue)</td><td></td></tr> <tr><td>440</td><td>220</td><td>Design issue fee</td><td></td></tr> <tr><td>600</td><td>300</td><td>Plant issue fee</td><td></td></tr> <tr><td>130</td><td>130</td><td>Petitions to the Commissioner</td><td></td></tr> <tr><td>50</td><td>50</td><td>Processing fee under 37 CFR 1.17(q)</td><td></td></tr> <tr><td>180</td><td>180</td><td>Submission of Information Disclosure Stmt</td><td></td></tr> <tr><td>40</td><td>40</td><td>Recording each patent assignment per property (times number of properties)</td><td></td></tr> <tr><td>710</td><td>355</td><td>Filing a submission after final rejection (37 CFR § 1.129(a))</td><td></td></tr> <tr><td>710</td><td>355</td><td>For each additional invention to be examined (37 CFR § 1.129(b))</td><td></td></tr> <tr><td>710</td><td>355</td><td>Request for Continued Examination</td><td></td></tr> <tr><td>900</td><td>900</td><td>Request for expedited examination of a design application</td><td></td></tr> <tr><td colspan="4">Other fee (specify)</td></tr> <tr> <td colspan="4">*Reduced by Basic Filing Fee Paid</td> <td><b>SUBTOTAL (3)</b></td> <td><b>(\$)</b></td> </tr> <tr> <td colspan="4">SUBMITTED BY</td> <td colspan="3">Complete (if applicable)</td> </tr> <tr> <td>Name (Print/Type) Signature</td> <td colspan="2"><i>William J. Kubida</i></td> <td>Registration No. (Attorney/Agent)</td> <td>29,664</td> <td>Telephone</td> <td>(719) 448-5900</td> </tr> <tr> <td></td> <td colspan="2"></td> <td>Date</td> <td colspan="3"><i>19 October 2001</i></td> </tr> </tbody> </table>			Large Entity Fee (\$)	Small Entity Fee (\$)	Fee Description	Fee Paid	130	65	Surcharge – late filing fee or oath		50	25	Surcharge – late provisional filing fee or cover sheet		130	130	Non-English specification		2,520	2,520	For filing a request for ex parte reexamination		920*	920*	Requesting publication of SIR prior to Examiner action		1,840*	1,840*	Requesting publication of SIR after Examiner action		110	55	Extension for reply within first month		400	200	Extension for reply within second month		920	460	Extension for reply within third month		1,440	720	Extension for reply within fourth month		1,960	980	Extension for reply within fifth month		310	155	Notice of Appeal		310	155	Filing a brief in support of an appeal		270	135	Request for oral hearing		1,510	1,510	Petition to institute a public use proceeding		110	55	Petition to revive – unavoidable		1,240	620	Petition to revive – unintentional		1,240	620	Utility issue fee (or reissue)		440	220	Design issue fee		600	300	Plant issue fee		130	130	Petitions to the Commissioner		50	50	Processing fee under 37 CFR 1.17(q)		180	180	Submission of Information Disclosure Stmt		40	40	Recording each patent assignment per property (times number of properties)		710	355	Filing a submission after final rejection (37 CFR § 1.129(a))		710	355	For each additional invention to be examined (37 CFR § 1.129(b))		710	355	Request for Continued Examination		900	900	Request for expedited examination of a design application		Other fee (specify)				*Reduced by Basic Filing Fee Paid				<b>SUBTOTAL (3)</b>	<b>(\$)</b>	SUBMITTED BY				Complete (if applicable)			Name (Print/Type) Signature	<i>William J. Kubida</i>		Registration No. (Attorney/Agent)	29,664	Telephone	(719) 448-5900				Date	<i>19 October 2001</i>		
Large Entity Fee (\$)	Small Entity Fee (\$)	Fee Description	Fee Paid																																																																																																																																																						
130	65	Surcharge – late filing fee or oath																																																																																																																																																							
50	25	Surcharge – late provisional filing fee or cover sheet																																																																																																																																																							
130	130	Non-English specification																																																																																																																																																							
2,520	2,520	For filing a request for ex parte reexamination																																																																																																																																																							
920*	920*	Requesting publication of SIR prior to Examiner action																																																																																																																																																							
1,840*	1,840*	Requesting publication of SIR after Examiner action																																																																																																																																																							
110	55	Extension for reply within first month																																																																																																																																																							
400	200	Extension for reply within second month																																																																																																																																																							
920	460	Extension for reply within third month																																																																																																																																																							
1,440	720	Extension for reply within fourth month																																																																																																																																																							
1,960	980	Extension for reply within fifth month																																																																																																																																																							
310	155	Notice of Appeal																																																																																																																																																							
310	155	Filing a brief in support of an appeal																																																																																																																																																							
270	135	Request for oral hearing																																																																																																																																																							
1,510	1,510	Petition to institute a public use proceeding																																																																																																																																																							
110	55	Petition to revive – unavoidable																																																																																																																																																							
1,240	620	Petition to revive – unintentional																																																																																																																																																							
1,240	620	Utility issue fee (or reissue)																																																																																																																																																							
440	220	Design issue fee																																																																																																																																																							
600	300	Plant issue fee																																																																																																																																																							
130	130	Petitions to the Commissioner																																																																																																																																																							
50	50	Processing fee under 37 CFR 1.17(q)																																																																																																																																																							
180	180	Submission of Information Disclosure Stmt																																																																																																																																																							
40	40	Recording each patent assignment per property (times number of properties)																																																																																																																																																							
710	355	Filing a submission after final rejection (37 CFR § 1.129(a))																																																																																																																																																							
710	355	For each additional invention to be examined (37 CFR § 1.129(b))																																																																																																																																																							
710	355	Request for Continued Examination																																																																																																																																																							
900	900	Request for expedited examination of a design application																																																																																																																																																							
Other fee (specify)																																																																																																																																																									
*Reduced by Basic Filing Fee Paid				<b>SUBTOTAL (3)</b>	<b>(\$)</b>																																																																																																																																																				
SUBMITTED BY				Complete (if applicable)																																																																																																																																																					
Name (Print/Type) Signature	<i>William J. Kubida</i>		Registration No. (Attorney/Agent)	29,664	Telephone	(719) 448-5900																																																																																																																																																			
			Date	<i>19 October 2001</i>																																																																																																																																																					

PATENT  
EXPRESS MAIL NO. EL910769662US  
Attorney Docket No. P01-3685  
Client/Matter No. 68854.0186

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Stephen J. Sicola, Bruce Sardeson, Dennis Spicher, Bruce Roberts, and Bill Pagano

Group Art Unit: \_\_\_\_\_

Serial No. \_\_\_\_\_

Examiner: \_\_\_\_\_

Filed: Herewith

For: METHOD AND APPARATUS FOR CONTROLLING  
COMMUNICATIONS IN DATA STORAGE COMPLEXES

CERTIFICATE OF MAILING BY EXPRESS MAIL

BOX PATENT APPLICATION

Assistant Commissioner of Patents and Trademarks  
Washington, D.C. 20231

Sir:

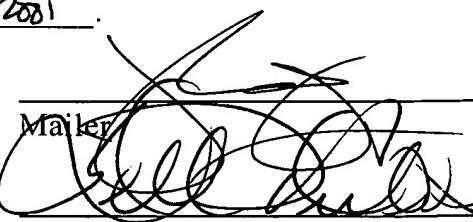
The undersigned hereby certifies that the following documents:

1. Utility Patent Application Transmittal;
2. Fee Transmittal and \$ 740 filing fee;
3. Utility Patent Application;
4. Unexecuted Declaration;
5. 14 sheets of drawings;
6. Information Disclosure Statement, Form PTO-1449,  
photocopies of 5 references;
7. Return postcard; and
8. Certificate of Mailing By Express Mail

relating to the above application, were deposited as "Express Mail", Mailing Label No. EL910769662US  
with the United States Postal Service, addressed to The Commissioner of Patents and Trademarks,  
Washington, D.C., 20231, 19 October 2001.

19 October 2001  
Date

19 October 2001  
Date

  
William J. Kubida, Reg. No. 29,664  
Hogan & Hartson LLP  
One Tabor Center  
1200 17<sup>th</sup> Street, Suite 1500  
Denver, Colorado 80202  
Tel (719) 448-5909  
Fax (303) 899-7333